

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

SHERMAN DIVISION

DATE: 11/16/2016

DISTRICT JUDGE

COURT REPORTER: Jan Mason

Amos L. Mazzant, III

COURTROOM DEPUTY: Debbie McCord

State of Nevada, et al Vs. U.S. Dept. Of Labor, et al	NO. 4:16cv731

ATTORNEYS FOR PLAINTIFFS	ATTORNEYS FOR DEFENDANTS
Lawrence VanDyke, Maurice Baskin, Tammy McCutchen, Rob Friedman, Jordan Smith, Austin Nimocks	Julie Saltman, Jimmy Gillingham, Steven Gardiner, Kevin Snell

On this day, came the parties by their attorneys and the following proceedings were held in Sherman, TX:

TIME:	MINUTES: Emergency Motion for Preliminary Injunction (Dkt. #10)
9:01 am	Court called case, noting appearances.
9:03 am	Court noted argument only, structured with States first, business Plaintiffs next, and then Dept of Labor.
9:04 am	Court presented questions for Mr. VanDyke. Mr. VanDyke responded to those questions and presented highlights of motion.
9:20 am	How does Court reconcile this with the ___ Robbins case?
	Court addressed salary requirement.
9:21 am	Mr. VanDyke responds.
	Discussion and questions ensued.
10:08 am	Court question as to whether this should addressed nationwide. Response by Mr. VanDyke.
10:12 am	Presentation by Mr. Baskin, on behalf of consolidated Plaintiffs, first addressing nationwide injunction question, cited ED/TX case.
10:27 am	Court responds regarding as to what next Administration might do or not do - Court believes this is not a basis for injunction, decision will be based on the law.

CASE NO. DATE:
PAGE 2 - PROCEEDINGS CONTINUED:

TIME:	MINUTES: Emergency Motion for Preliminary Injunction (Dkt. #10)
	Court will look at factors for preliminary injunction.
10:30 am	Mr. Baskin continues.
10:35 am	Court in recess for 10 minutes.
10:46 am	Court question: What is the limit to DOL's to define the limit? Response presented by Ms. Saltman for DOL.
	Discussion ensued, questions by the Court and response of Ms. Saltman.
11:39 am	DOL argues methodological error and had to take different approach.
	Further questions by the Court, response of Ms. Saltman
12:10 pm	Mr. Snell presents remaining merits.
12:16 pm	Mr. VanDyke responds.
12:27 pm	Mr. Baskins responded - cite provided -
12:32 pm	Reply - Ms. Saltman.
12:35 pm	Response of Mr. VanDyke and Mr. Baskin.
12:37 pm	Court will take motion under advisement, but Court hopes that initial ruling will be issued on Tuesday, 11/22/2016. If motion is denied, hearing will be set for Monday, November 28.
12:40 pm	Court is in recess.

DAVID O'TOOLE, CLERK

BY: Debbie McCord
Courtroom Deputy Clerk